

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

County of Santa Clara,

NO. C 05-03653 JW

Plaintiff,

v.

ORDER OF DISMISSAL

United States Postal Service,

Defendant.

On April 20, 2006, this Court issued an Order to Show Cause re: Settlement (Docket Item No. 6) requiring the parties to file a stipulated dismissal, or appear at a hearing to show cause, if any, on May 22, 2006, why the case should not be dismissed under Fed. R. Civ. P. 41(b). To date, the parties have not filed a stipulated dismissal or a joint statement. Neither party appeared at the hearing on May 22, 2006. Accordingly, the case is dismissed on the merits pursuant to Fed. R. Civ. P. 41(b).

Dated: May 23, 2006

05cv3653dism

/s/ James Ware
JAMES WARE
United States District Judge

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

2 Stephen H. Schmid stephen.schmid@cco.co.santa-clara.ca.us
3 Sumi Lee Sumi.lee@cco.sccgov.org

4 **Dated: May 23, 2006**

Richard W. Wieking, Clerk

5
6 **By: /s/ JW Chambers_____**
7 **Melissa Peralta**
8 **Courtroom Deputy**
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28